

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

|                                  |   |                                   |
|----------------------------------|---|-----------------------------------|
| <b>JOSHAWA WEBB, ET AL.,</b>     | ) | <b>CASE NO.1:07CV3290</b>         |
|                                  | ) |                                   |
| <b>Plaintiff,</b>                | ) | <b>JUDGE CHRISTOPHER A. BOYKO</b> |
|                                  | ) |                                   |
| <b>Vs.</b>                       | ) |                                   |
|                                  | ) |                                   |
| <b>UNITED STATES OF AMERICA,</b> | ) | <b>ORDER</b>                      |
|                                  | ) |                                   |
| <b>Defendant.</b>                | ) |                                   |

**CHRISTOPHER A. BOYKO, J:**

This matter is before the Court on Plaintiffs' Motion to File an Amended Rule 56(f) affidavit in Response to Defendants' Motions for Summary Judgment (ECF#82). Plaintiffs seek to add, as the basis for further discovery, the indictment of Defendant Lee Lucas and the guilty plea of Defendant Metcalf in a companion case. Because the Motion was filed months after the briefing had been completed, because Plaintiffs did not file a Brief in Opposition to Defendant Lee Lucas' Motion for Summary Judgment and because Metcalf's guilty plea in another proceeding arising from different facts is not relevant to the issues before this Court, Plaintiffs' Motion is denied.

IT IS SO ORDERED.

S/Christopher A. Boyko  
CHRISTOPHER A. BOYKO  
United States District Judge

September 29, 2009

